

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-3 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Regarding claim 1, in step a), the phrase "a flexible substrate which can either include organic layers" renders the claim(s) indefinite for the step b), specifically, for the step of subsequent —depositing organic layers, which raises question that is this organic layer in addition to the organic layer of step a)???

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-3 are rejected under 35 U.S.C. 102(e) as being anticipated by Bedzky (6,777,025).

The applied reference has a common assignee with the instant application.

Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art

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under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

Bedzky teaches a process of making an organic light emitting device (OLED) including the steps of method of tensioning unrolled donor substrate to facilitate transfer of organic material to form a layer on the unrolled donor substrate, comprises delivering a portion of the unrolled donor substrate from a roll to a frame disposed in an organic coating chamber (50), such frame defining an aperture; engaging the unrolled donor substrate and tensioning the material using a first clamp assembly associated with the frame; coating the tensioned donor substrate with an organic layer in the organic coating chamber; and cutting the unrolled tensioned portion of donor substrate into a sheet before or after it is coated with organic material (col.2, lines 36-col.3, lines 1-25 and col.4, lines 8-56).

As to claims 2-3, Bedzky teaches the cut donor sheet received by a frame (10) with movable member 22 and secured by a clamp assembly (16 (see col.6, lines 19-38).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bedzy (6,777,025).

Bedzy teaches the process of forming an organic light emitting device including the steps discusses in the above paragraph except for the step of delivering the frame into a cassette for the transfer the donor sheet to be coated and also for the repeating steps of unrolling the donor sheet for cutting a predetermined length and transferring the cut donor sheet into a hopper.

However, it would have been obvious to one of ordinary skilled in the art at the time of claimed invention to transfer the cut donor sheet with the frame (10) into a hopper for coating as taught by Bedzy and the repeating step also would have been obvious to ordinary skilled in the art for forming multiple OLED device at the same time, which would leads to reduce the processing cost and time.

8. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wolk et al (6,485,884) in view of McCormick et al (6867,539).

Wolk et al disclose a method for patterning oriented materials to make OLED display device including the steps of providing a donor sheet and depositing an organic layer

that is subsequently deposited on the OLED device via thermal transfer (col.6, lines 29-45).

Wolk et al fail to provide a continuous way to manufacture the donor sheet.

However, McCormic et al teach a process of the present invention could be readily carried out using a roll-to-roll continuous web process as illustrated by FIG. 4. For example, to prepare an OLED, a roll of flexible substrate 12 with precut adhesive-coated liner mask 14/15 could be fed from roll 230 into vacuum chamber 210 of coater 200 where OLED elements could be deposited by vaporization from deposition sources 220 and 222, which may deposit the first two organic layers of an OLED. (col.10, lines 15-25).

McCormic et al also teach the finished sheet of OLED could be converted to individual sheet by cutting at a prescribed length (col.10, lines 43-55).

Therefore, it would have been obvious to one of ordinary skilled in the art at the time of claimed invention to employ McCormic et al's process into Wolk et al's process for improving the process condition by using a continuous process for making donor sheet, which would reduce the processing time as suggested by McCormic et al.

As to claims 4-7, Modified Wolk et al teach a continuous process except for the step of delivering the cut donor sheet placed in a frame, which is delivered into a cassette for the transfer the donor sheet to be coated and also for the repeating steps of unrolling the donor sheet for cutting a predetermined length and transferring the cut donor sheet into a hopper.

However, it would have been obvious to one of ordinary skilled in the art at the time of claimed invention to transfer the cut donor sheet with a frame into a hopper for storing the finished OLED device as taught by McCormic et al and the repeating step also would have been obvious to ordinary skilled in the art for forming multiple OLED device at the same time, which would leads to reduce the processing cost and time.

Double Patenting

9. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

10. Claims 1-3 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-3 of U.S. Patent No. 6,777,025.

Although the conflicting claims are not identical, they are not patentably distinct from each other because the instant invention encompasses the invention in US patent

'025 because the tensioning the unrolled donor substrate is inherently formed in the instant invention while moving the unrolled donor web.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lee (2007/0196949) illustrates a process of forming donor sheet for OLED device in a continuous manner.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shamim Ahmed whose telephone number is (571) 272-1457. The examiner can normally be reached on Tu-Fri (12:30-10:30) Every Monday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nadine G. Norton can be reached on (571) 272-1465. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Shamim Ahmed/
Primary Examiner, Art Unit 1792

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